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विकास नियंत्रण नियमावली - कोल्हापूर
महाराष्ट्र प्रादेशिक व नगर रचना
अधिनियम, १९६६ चे कलम-३७(१अेअे)(सी)
अन्वये फेरबदल.

महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई - ४०० ०३२
शासन निर्णय क्रमांक- टिपीएस-२१०९/४५/प्र.क्र.१५६०/०९/नवि-१३
दिनांक :- १३.०८.२०१०

शासन निर्णय :- सोबतची शासकिय अधिसूचना महाराष्ट्र शासन राजपत्रा मध्ये प्रसिध्द करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

(वि.म. रानडे)
अवर सचिव, महाराष्ट्र शासन.

प्रति,
विभागीय आयुक्त, पुणे विभाग, पुणे.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
आयुक्त, कोल्हापूर महानगरपालिका, कोल्हापूर.
उपसंचालक नगर रचना, पुणे विभाग, पुणे.-
सहाय्यक संचालक नगर रचना, कोल्हापूर शाखा, कोल्हापूर.
व्यवस्थापक, येरवडा कारागृह मुद्रणालय, पुणे.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्राच्या भाग-१, पुणे विभाग, पुणे पुरवणी भाग-१ मध्ये प्रसिध्द करुन त्याच्या प्रत्येकी ५ प्रती या विभागास, संचालक नगर रचना, महाराष्ट्र राज्य, पुणे, उपसंचालक नगर रचना, पुणे विभाग, पुणे, आयुक्त कोल्हापूर महानगरपालिका, कोल्हापूर, सहाय्यक संचालक नगर रचना, कोल्हापूर शाखा, कोल्हापूर यांना पाठवाव्यात)

कक्ष अधिकारी (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सदर अधिसूचना शासनाच्या वेबसाईटवर प्रसिध्द करावी.

निवडनस्ती (नवि-१३

Repot Notification Dt 23.11.09

Notification under section 37(1-AA)(c) of the Maharashtra Regional and Town Planning Act, 1966
Modification to Development Control Regulations for Kolhapur Municipal Corporation

Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.

Date – 13.08.2010

No.TPS-2109/45/C.R.1560/09/UD-13

Maharashtra Regional & Town Planning Act 1966.

Whereas, the Revised Development Control Regulations for Kolhapur Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. TPS-2192/2368/CR-135/92/UD-13, dated 15th November, 1999 (hereinafter referred to as "the said Notification") and come into force with effect from the dated 18.11.1999;

And whereas, Regulation 84(4) of "said Regulations" deals with Low Cost Housing Schemes of the Maharashtra Housing and Area Development Authority (MHADA);

And whereas, Government in Housing Department has declared the "Housing Policy" (hereinafter referred to as "the said Policy");

And whereas, the said policy proposed to allow redevelopment of MHADA colonies by providing, higher FSI and to revise the size of old tenements. This will enable the present occupants to have better accommodation as to create additional housing stock;

And whereas, Government felt it necessary to prepare a new Set of Regulation No.84(4) by replacing the existing Regulation No.84(4) (hereinafter referred to as "the said modification");

And whereas, the said modification is in the public interest.

And whereas, in view of the facts and circumstances mentioned above and in exercise of the powers contained in subsection (1AA) of section 37 of the said Act, Government had published a Notice no.TPS-1809/45/CR-1560/09/UD-13 dated 2nd February, 2009 (hereinafter referred to as "the said Notice") for inviting suggestions/objections from any person with respect to the said Modification;

And whereas, the said Notice was published in the

Government Gazette dated 26/02/2009 & in the newspaper namely 'The Economic Times', Pune dated 12.04.2010;

And whereas as per the said Notice, Government had appointed Deputy Director of Town Planning, Pune Division, Pune as an Officer under section 162 of the said Act (hereinafter referred to as "the said Officer") to scrutinize any suggestions/objections received and give hearing to the persons who have submitted suggestions/objections including Solapur Municipal Corporation (hereinafter referred to as "the said Corporation") and submit his report to the Government regarding the said modification;

And whereas, after completing the procedure as laid down under section 37(1AA) of the said Act, & giving hearing to the concerned persons on the suggestions/objections received, the said Officer had submitted his report to the Government on 29.09.2009, vide office letter no.1859;

And whereas, the Government of Maharashtra after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune is satisfied that the said Modification is necessary and shall be sanctioned with some changes;

Now therefore, in exercise of the powers conferred under sub-section (1AA) (c) of Section 37 of the said Act, the Government of Maharashtra hereby sanctions the Modification proposal with some changes and for that purpose amends the said Notification sanctioning the Development Control Regulations as mentioned in the schedule of modification.

Note :-

1) Aforesaid schedule of Modification to the said Regulations is kept open for inspection of the public during office hours in the office of the Kolhapur Municipal Corporation, Kolhapur.
2) Fixes the date of publication of this notification in the Government Gazette as the date of coming into force of this notification.
3) In the schedule of Modifications appended to the Notification, sanctioning the said Development Control Regulations, after the last entry following new entry shall be added.

This Notification is also published on Government website www.urban.government.in.

By order and in the name of Governor of Maharashtra,

(V.M.Ranade)
Under Secretary to Government.

Repet Notification Dt 23 11 09

Schedule of Modification

(Regulation 84(4) of the said Regulation is to be deleted and to be replaced as per the Schedule attached herewith.)

Accompaniment to Government in Urban Development Department's Notice No.TPS-2109/45/C.R.1560/09/UD-13

84(4) Development/Redevelopment of Housing Schemes of Maharashtra Housing and Area Development Authority.

1) The FSI for a new scheme on vacant lands of low Cost Housing Scheme for Economically Weaker Section, Low Income Groups and Middle Income Groups of the MHADA having at least 60 per cent built-up area in the tenements under EWS, LIG and MIG categories shall be 2.50.

2) For redevelopment of any existing housing schemes of MHADA, after at least 35 years of their completion, undertaken by the MHADA departmentally or jointly with societies /occupiers of buildings or housing societies/ occupiers of building or by lessees of MHADA or by developer, the FSI shall be as under.-

   a) Total permissible FSI shall be maximum 2.5 on gross plot area.

   b) The incentive FSI admissible against the FSI required for rehab shall be as under :-

      i) In congested area as shown on D.P. of Solapur for the area upto 4000 sq. mtrs., the incentive FSI admissible will be 50 per cent.

      ii) In congested area as shown on D.P. of Solapur for the area above 4000 sq.mtrs., the incentive FSI admissible will be 60 per cent.

      iii) In outside congested area as shown on D.P. of Solapur for the area upto 4000 sq.mtrs., the incentive FSI admissible will be 60 percent.

      iv) In outside congested area as shown on D.P. of Solapur for the area above 4000 sq.mtrs., the incentive FSI will be 75 percent.

   c) Difference between 2.5 FSI and the FSI required for "rehab + incentive" shall be shared between MHADA and Society/Developer in the ratio of 2:1.

   d) In the scheme, for the land allotted for societies of MIG and HIG and developed plot allotted individually to MIG and HIG group, the permissible FSI shall be as per prevailing Development Control Regulation.

3) In case of grant of NOC with additional permissible built-up area outside congested area over and above the permissible FSI as per sanctioned DCR of Solapur prevailing at the time of allotment by MHADA for the purpose of undertaking Redevelopment/Utilisation, MHADA shall charge premium at the rate decided by Government in Housing Department from time to time.

4) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered Sub division of plots will be permissible on the basis of compulsory open space as in these

Regulations. For low cost Housing Scheme of MHADA for EWS, LIG categories, the Regulations in Appendix 'I' shall apply.

5) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.

6) For the ofsite infrastructure, MHADA shall pay to the Kolhapur Municipal Corporation 12.5 percent of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.

7) In any Redevelopment Scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA thereby sanctioning additional balance FSI with a consent of 70 percent of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/members to participate in the Redevelopment Scheme and vacate the existing tenements, for the purpose of redevelopment. In case of failure to vacate the existing tenements the provisions of section 95-A of the MHADA Act mutatis mutandis shall apply of for the purpose of getting the tenements vacated from the non co-operative members.

8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with societies for its maintenance.

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